

I had been at Fairbanks Memorial Hospital—actually there on an emergency, not myself but with another individual. We go to the emergency room, and as we were waiting for the doctors to come and address this non-COVID-related medical emergency, I was advised by the evening supervisor that Fairbanks Memorial Hospital was at capacity within their ICU. And what that meant was that Fairbanks Memorial was at capacity and, as of that evening, all of the other hospitals in Alaska that could care in an ICU capacity were filled. So I was told that my loved one may be in a situation, if he needed to be in the ICU, that I needed to prepare myself and others that he may be sent to Seattle or Portland that night. For those of you that don't know your geography there, that is a 3, 3½-hour flight by jet. It would have been a medevac. It is thousands of miles away.

That is what is happening in Alaska right now. When your hospitals are full, you just can't put them in an ambulance and take them to another town. We are taking these folks to another State. And, again, keep in mind, the reason that I was there that evening with this individual was not COVID-related, but that is the squeeze. That is the pressure that it puts on the rest of your system.

Just this week, the State is dealing with crisis standards of care guidelines as it relates to how individuals may receive monoclonal antibody treatments because the supplies are scarce out there.

So it is tough right now. It is tough. Beds are hard to find, and the extraordinary men and women who every day are going in and doing as best they can to provide for the level of care that is needed are doing so, but they are tired. They are tired. They can't get enough help. You have those who are exposed. You have to quarantine. It puts pressure on everybody else. People are running themselves to the ground.

But we have good news that is happening. Our Governor has been working to bring additional health workers in, and we are starting to see, just this week, as many as—we were hoping 500 but maybe a little bit less than that—nurses, respiratory therapists are starting to come to the State as part of a Federal contract. So you have got State-contracted healthcare workers. The Alaska Native Medical Center is going to be receiving additional support from a disaster medical assistance team. Again, we are at a point where you just can't take it on anymore. And our numbers have not yet peaked.

I don't share these statistics and I don't share the front page of the Daily News just to bring people up to speed as to what is happening in Alaska. That wasn't necessarily my purpose here.

My purpose this afternoon is, in the midst of this, in the midst of this real crisis in my State, when it comes to the availability of healthcare and re-

sponding to this virus that is killing—killing—Alaskans, killing Americans, killing people around the world, that we show a little kindness because right now that seems to be in as limited capacity as some of the hospitals that we have in Alaska. It is kindness and respect for where people are.

Your healthcare workers are giving every ounce of what they have to be there, to leave their families. They are worried about everybody. But they are there for us, and they are doing the best job possible. And some of what we see in return is not the best of America. It is not the best that Alaskans have to offer.

We have had some just horrible, horrible confrontations in our public meetings in Anchorage. The top of the fold in the Anchorage paper is about an assembly meeting where individuals wore yellow Stars of David to protest the mask ordinance that the Anchorage assembly was taking up, comparing the mask mandate to the Holocaust. It is shocking. At some of the assembly meetings—and it is not just in Anchorage, we are seeing it in other communities as well—it is neighbor against neighbor.

We have had providers go to provide testimony before in these public meetings, and not only have they been ridiculed and mocked, but we hear the stories, we read the stories that they have been spit upon. This is not how we show appreciation for those who are trying their absolute best to be there for us. And they will literally turn the other cheek and make sure that the care that they are providing in that ICU, in that ER, is without discrimination as to whether or not you have been vaccinated or not. They are going to be there to take care of you. So, please, can we please show some kindness to one another at these times of stress and of anxiety to families?

We in Alaska are pretty hardy. We are independent. We can handle things on our own, but we are better because we are also good neighbors to one another, more often than not.

When somebody's car breaks down by the side of the road, and it is cold and it is dark, we stop. We help them. We are there for them. When somebody is sick, we deliver the food. We are good neighbors. So we, in Alaska, need to remember to be that good neighbor to one another. We can have disagreements. We can have differing points of view. We can express them without degrading one another, without denigrating one another, without humiliating, and mocking one another.

So I know that we will be beyond COVID. It is not coming soon enough for any of us. But I just ask that as we go through this, in this State and around this country and around the world, that we remember that we are all better when we care for one another and we show a little kindness.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 12:50 p.m., recessed subject to the call of the Chair and reassembled at 8:05 p.m. when called to order by the President pro tempore.

EXECUTIVE CALENDAR

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate consider the following nominations: Calendar Nos. 376, 386, 387, and 391; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. Jacqueline D. Van Ovost

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Colin J. Kilrain

IN THE AIR FORCE

The following named officer for appointment to the grade indicated in the United States Air Force under title 10, U.S.C., section 624:

To be brigadier general

Col. James D. Brantingham

IN THE NAVY

The following named officer for appointment to the grade indicated in the United States Navy under section 905 of the National Defense Authorization Act for Fiscal Year 2020:

To be rear admiral

Rear Adm. (1h) Jeffrey S. Scheidt

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 8:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 848. An act to amend the Higher Education Act of 1965 in order to improve the service obligation verification process for TEACH Grant recipients, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 405. A resolution to authorize representation by the Senate Legal Counsel in the case of *Shawn Musgrave v. Mark Warner* and the U.S. Senate Select Committee on Intelligence; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 406. A resolution to authorize representation by the Senate Legal Counsel in the case of *Shawn Musgrave v. J. Thomas Manger, et al.*; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1544

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1544, a bill to amend title XIX of the Social Security Act to streamline enrollment under the Medicaid program of certain providers across State lines, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 405—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF SHAWN MUSGRAVE V. MARK WARNER AND THE U.S. SENATE SELECT COMMITTEE ON INTELLIGENCE

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 405

Whereas, the U.S. Senate Select Committee on Intelligence and Senator Mark

Warner, Chairman of the Committee, have been named as defendants in the case of *Shawn Musgrave v. Mark Warner* and the U.S. Senate Select Committee on Intelligence, Civil Action No. 1:21-cv-02198, pending in the United States District Court for the District of Columbia;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Committees and Members of the Senate in civil actions relating to their official responsibilities; Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent the Select Committee on Intelligence and Senator Warner in the case of *Shawn Musgrave v. Mark Warner* and the U.S. Senate Select Committee on Intelligence.

SENATE RESOLUTION 406—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF SHAWN MUSGRAVE V. J. THOMAS MANGER, ET AL

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 406

Whereas, in the case of *Shawn Musgrave v. J. Thomas Manger, et al.*, Civil Action No. 1:21-cv-02199, pending in the United States District Court for the District of Columbia, plaintiff has named Secretary of the Senate Sonceria Ann Berry and the Office of the Secretary of the Senate as defendants;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend officers of the Senate in civil actions relating to their official responsibilities; Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Secretary of the Senate Sonceria Ann Berry and the Office of the Secretary of the Senate in the case of *Shawn Musgrave v. J. Thomas Manger, et al.*

AMENDMENTS SUBMITTED AND PROPOSED

SA 3841. Mr. CASEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2792, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3841. Mr. CASEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2792, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . LOCALITY PAY EQUITY.

(a) LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A GENERAL SCHEDULE PAY LOCALITY.—

(1) LOCAL WAGE AREA LIMITATION.—Section 5343(a) of title 5, United States Code, is amended—

(A) in paragraph (1)(B)(i), by striking “(but such” and all that follows through “are employed”;

(B) in paragraph (4), by striking “and” after the semicolon;

(C) in paragraph (5), by striking the period after “Islands” and inserting “; and”; and

(D) by adding at the end the following:

“(6) the Office of Personnel Management shall define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as ‘Rest of United States’.”

(2) GENERAL SCHEDULE PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (2)(C), by striking “and” after the semicolon;

(B) in paragraph (3), by striking the period after “employee” and inserting “; and”; and

(C) by adding at the end the following:

“(4) ‘pay locality’ has the meaning given that term under section 5302.”

(b) REGULATIONS.—The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out the purpose of this section, including regulations to ensure that the enactment of this section shall not have the effect of reducing any rate of basic pay payable to any individual who is serving as a prevailing rate employee (as defined under section 5342(a)(2) of title 5, United States Code).

(c) APPLICABILITY.—The amendments made by this section shall apply on and after the first day of the first full pay period beginning at least 180 days after the date of enactment of this Act.

DESIGNATING THE SEPTEMBER 11TH NATIONAL MEMORIAL TRAIL ROUTE

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2278, which is at the desk.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2278) to designate the September 11th National Memorial Trail Route, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. WYDEN. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 2278) was ordered to a third reading, was read the third time, and passed.

AUTHORIZING REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF SHAWN MUSGRAVE V. MARK WARNER AND THE U.S. SENATE SELECT COMMITTEE ON INTELLIGENCE

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate